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TECHNOLOGY CENTER 2100

Hung Chang Lin
8 Schindler Court
Silver Spring, MD 20903

In re Application of: Apostolis
PAPATHANASIOU
Application No. 09/911,764
Attorney Docket No. HER-1
Filed: July 25, 2001
For: ADAPTIVE FILTER FOR
COMMUNICATION SYSTEM

)
) DECISION ON PETITION TO
) WITHDRAW HOLDING OF
) ABANDONMENT UNDER 37 CFR
) §1.181
)

This is a decision on the request to withdraw the holding of abandonment, which is being treated as a petition to withdraw the holding of abandonment, under 37 CFR §1.181, filed on July 6, 2005.

The instant application became abandoned for failure to timely respond to the Office action (non-final) mailed April 23, 2004. A notice of abandonment was mailed on June 30, 2005. A grantable petition must include a copy of the response and proof of timely filing of the response. A stamped post card receipt with an indication of the documents filed therewith is acceptable. No fee is required.

Petitioner has provided evidence in the petition that includes: a copy of the amendment and remarks bearing a certificate of mailing date of September 20, 2004; as well as a post card receipt identifying the that an amendment and check for \$210.00 had been filed, bearing a USPTO receipt date of September 21, 2004. Note, the fee for a two months extension of time was charged on September 22, 2004, according to USPTO records.

In accordance with MPEP § 503, applicant is reminded it is important that the return postcard **itemize** all of the components of the [application] response. If the postcard does not itemize each of the components of the application, it may not serve as evidence that any component which was not itemized was received by the United States Patent and Trademark Office (USPTO).

Based upon the preponderance of evidence submitted, the petition is **GRANTED**. The Notice of Abandonment is hereby **WITHDRAWN**.

The application is being forwarded to the Supervisory Legal Instruments Examiner with instructions to **WITHDRAW** the abandonment and to **ENTER** the response filed September 21, 2004 (copy filed July 6, 2005). The application will then be forwarded to the examiner for prompt action on the merits. Note, as indicated above the fee for the 2-months extension of time has previously been charged.

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